

HOUSE BILL 7007
By McMillan

AN ACT to amend Tennessee Code Annotated, Title 8,
relative to standards for local government officials.

Whereas, in order to maintain and strengthen the ideals of democracy it is essential that the public have confidence in the integrity of their governmental institutions, and

Whereas, it is incumbent upon government officials at all levels to take effective steps to initiate policies, practices and procedures that will assure citizens that promoting and protecting the public interest is the fundamental purpose of governmental actions, now therefore

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, is amended by adding the following as a new appropriately designated chapter:

SECTION _____. It is the intent of the general assembly that the integrity of the processes of local government be secured and protected from abuse. The general assembly recognizes that holding public office and public employment is a public trust and that citizens of Tennessee are entitled to a responsive, accountable, and incorruptible government.

SECTION _____. Notwithstanding the provisions of any public or private act to the contrary, not later than December 31, 2006, the governing body of each municipality and county shall adopt by ordinance or resolution, as appropriate, ethical standards for elected or appointed local governmental officials of such municipality or county. Such standards shall include, at a minimum, limits on, and/or reasonable and systematic disclosure of, gifts or other things of value received by officials that might impact or appear to impact their discretion, as well as reasonable and systematic disclosure by officials of their personal interests that might impact or appear to impact their discretion.

SECTION _____. Each municipality and county shall maintain, for public inspection, the ethical standards of such municipality or county and shall cause to be filed a copy of the adopted standards with the Tennessee Ethics Commission. Any amendments or other modifications to the ethical standards shall also be filed with the Tennessee Ethics Commission as soon as practical after adoption by the governing body.

SECTION _____. The municipal technical advisory service (MTAS) for municipalities and the county technical assistance service (CTAS) for counties shall disseminate, and amend from time to time as necessary, model ethical standards for elected or appointed local governmental officials to provide guidance for the various municipalities and counties. Any municipality or county that adopts the standards of conduct for elected or appointed local governmental officials promulgated by MTAS or CTAS is not required to file such policy with the Tennessee Ethics Commission but shall notify the Tennessee Ethics Commission in writing that the policy promulgated by MTAS or CTAS was adopted and the date such action was taken.

SECTION _____. Members of a governing body of a municipality or county that fails to adopt ethical standards as provided in this chapter shall be subject to removal from office as provided in Tennessee Code Annotated, Title 8, Chapter 47.

SECTION 2. The provisions of this act shall be effective upon becoming law, the general welfare requiring it.